(1)

CF3(W).
(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3510 **/2003**

PETITIONERS :

1. **M/s Gugga Trading Company Pvt. Ltd. through Hanuman Prasad Agrawal, Director, R/o Gandhi Ganj, Raigarh (C.G.)**
2. **Smt. Geeta Devi Agrawal, W/o Hanuman Prasad Agrawal R/o Gandhi Ganj, Raigarh (C.G.)**
3. **Ram Kumar Sharma S/o Late Nakky Ram Sharma, Itwari Bazar, Raigarh.**

- Versus -

RESPONDENTS :

1. **Union of India, Through Secretary, Ministry of Law, Shastri Bhawan, R. P. Road, New Delhi.**
2. **Chief Manager, State Bank of India Commercial Branch, FCI Godown Road, Tarbahar, Bilaspur (C.G.)**

P. R. No. 3302/03
Presented by Shri M.L. Pradhan
dated 30/10/03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(166)

मामला क्रमांक WP 3510 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ** **& HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri M.L.Pastore, counsel for the petitioners. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri R.S.Jaiswal, counsel for the respondent No.2 Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. **Sd/-** **Chief Justice** **Sd/-** **Fakhruddin** **Judge**	

[पीछे देखिये